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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

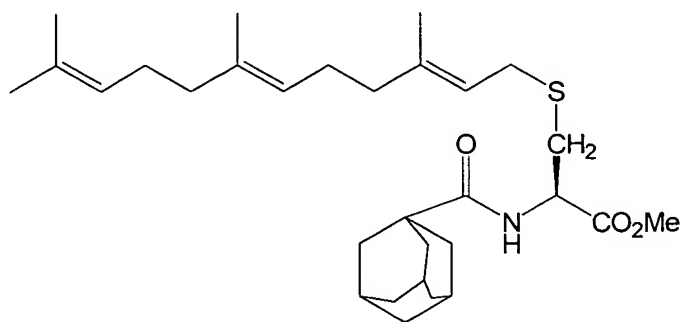
APPLICANT(S) : Richard A. Gibbs, et al.
SERIAL NO. : 10/552,754
FILED : August 11, 2006
FOR : Compounds and Methods for Use in Treating Neoplasia and Cancer Based
Upon Inhibitor of Isoprenylcysteine Methyltransferase
GROUP ART UNIT : 1621
Examiner : S. Katakam

Mail Stop: Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia, 22313-1450

**Election of Invention in Response
to Restriction Requirement**

In response to the Examiner's correspondence dated April 25, 2008 pursuant to the Examiner's restriction requirement in the above-referenced patent application, Applicants provisionally elect with traverse to prosecute the invention of group I, namely claims 1-36 and 39 wherein Z is a cycloalkyl group.

In addition, the Examiner required Applicants to choose a single species to prosecute. To that end, Applicants provisionally elect, with traverse to prosecute a species wherein the Chemical compounds is



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Claims 2-3, 9, 12-13, 16-17, 20, 22-24, 35-36, 39 and 40-43 of the present application, as amended, are readable thereon.

Notwithstanding Applicants' election of a single invention group (group I) and species, it is respectfully requested that the Examiner withdraw his/her requirement for restriction and instead consider examining all of the originally filed claims *without* restriction.

Applicants respectfully traverse the Examiner's requirement for restriction. Applicants respectfully request the Examiner reconsider his/her restriction requirement in its entirety. Applicants respectfully submit that prosecution of all of previously elected claims without regard to the imposed restriction will allow the Examiner to examine all claims without being subjected to an undue burden as discussed hereinbelow.

According to M.P.E.P. §803, restriction by the Examiner of patentably distinct inventions is proper if the claimed inventions are independent and a *serious burden* would be placed on the Examiner if restriction was not required. Applicant respectfully submits that the examination of all of the originally filed claims would not place such a serious burden on the Examiner as to require restriction. All of the originally restricted claims are directed to patentably distinct compositions related to or methods which would not impose a heavy burden of examination on the part of the Examiner.

Thus, it is Applicants' view that any search the Examiner would need to conduct in examining the instant application of all the claims would not be unduly burdensome. That would not be to say that the examination would not be rigorous or even time-consuming, but that such effort would not meet the requirements of MPEP§803. It is respectfully submitted that the examination of all of the originally filed claims in the instant application would not place such a

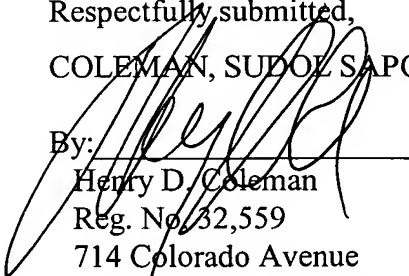
serious burden on the Examiner as to require restriction.

Applicants understand the general policy considerations for the Patent Office's requirement for restriction in certain instances. In this instance, however, Applicants respectfully submit that those considerations do not weigh in favor of restricting the inventions here. In determining the appropriateness of restriction, one must also consider the countervailing consideration that, in each instance, Applicants wish the Patent Office examine their patent application with a certain degree of "administrative efficiency" and wish to have patent claims issue which reflect the breadth of their invention.

Applicants respectfully submit that the originally filed claims are sufficiently narrow to allow the Examiner to determine patentability without being subjected to the serious burden referred to in M.P.E.P. §803. Consequently, Applicant respectfully requests that the Examiner withdraw the restriction requirement.

The Examiner is cordially requested to call the undersigned attorney if the Examiner believes that a telephonic discussion may materially advance the prosecution of the instant application in any way. No fee is due for the presentation of this paper. A petition for a one month extension of time and a check in the amount of \$60 is enclosed.

Respectfully submitted,
COLEMAN, SUDOL SAPONE, P.C.

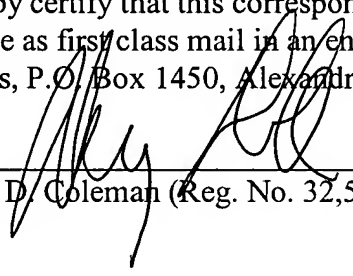
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Dated: June 25, 2008

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia, 22313-1450, dated June 25, 2008.



Henry D. Coleman (Reg. No. 32,559)

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